

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

STEVEN SLOAN,

Petitioner,

v.

Case No. 2:04-cv-270
HON. ROBERT HOLMES BELL

BARBARA BOUCHARD,

Respondent.

OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on April 24, 2007. The Report and Recommendation was duly served on the parties. The Court has received objections from the petitioner. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit.

Petitioner argues that the court should review his claim that the verdict was against the great weight of the evidence because the claim is based upon constitutional issues. However, as explained a habeas court does not weigh the evidence. Rather, the court may determine whether sufficient evidence existed for the conviction. Clearly, the evidence was sufficient to support petitioner's conviction. Further, petitioner failed to show that he received ineffective assistance of counsel.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge is approved and adopted as the opinion of the court.

Date: August 20, 2007

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

CHIEF UNITED STATES DISTRICT JUDGE